

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GARY GERTSEN, et al., : **CIVIL ACTION NO. 1:04-CV-1779**

Plaintiffs : **(CONSOLIDATED)**

v. : **(Judge Conner)**

FIRST HORIZON HOME LOAN :
CORP., et al., :

Defendants :

FIRST HORIZON HOME LOAN :
CORP. t/d/b/a MNC MORTGAGE, :

Plaintiff :

v. :

GARY L. SWEITZER ENTERPRISES, :
INC., et al., :

Defendants :

FRANCIS A. DUNLOP, et al., :

Plaintiffs :

v. :

FIRST HORIZON HOME LOAN :
d/b/a FT MORTGAGE d/b/a MNC :
MORTGAGE, et al., :

Defendants :

ORDER

AND NOW, this 21st day of July, 2005, upon consideration of the motions of defendants Coastal Capital Corporation and Option One Mortgage Corporation to

dismiss the cross-claims asserted by defendants Michael Sedor and Penn State Abstract (Docs. 122, 123) on the ground that, “[b]ecause plaintiffs’ claims directly against [defendants Coastal Capital Corporation and Option One Mortgage Corporation] are legally insufficient, the derivative cross-claims [asserted by defendants Michael Sedor and Penn State Abstract] also are, by extension, legally insufficient, and must be dismissed,” and it appearing that the court recently denied motions of defendants Coastal Capital Corporation and Option One Mortgage Corporation to dismiss plaintiffs’ complaint on grounds of legal sufficiency (Doc. 255; see also Doc. 165), it is hereby ORDERED that the motions of defendants Coastal Capital Corporation and Option One Mortgage Corporation to dismiss the cross-claims asserted by defendants Michael Sedor and Penn State Abstract (Docs. 122, 123) are DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge